

MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
September 8, 2005

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by a moment of silence for two employees who recently passed away, Veldon White and Richard Collins. Mayor Pro-Tem Ric Miller, who also led in the pledge of allegiance to the flag, gave the invocation. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Ric Miller
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover (via telephone for closed session only)
Council Member Chip Little
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

ABSENT: Council Member Mildred A. Council

APPROVAL OF AGENDA

Motion was made by Council Member Craft and seconded by Council Member Dunn to approve the agenda as presented. Motion carried unanimously.

SPECIAL RECOGNITIONS

Mrs. Layforrest B. Woodhouse was presented with a plaque upon her retirement with 29 years of service in the Financial Services Department.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Board of Adjustment

Motion was made by Council Member At-Large Dunn and seconded by Council Member Little to elevate John Hutchens from Alternate #2 to Regular Member to fill an unexpired term expiring June 2006 replacing Charles Farley, who resigned; to elevate Charles Ward from Alternate #3 to Regular Member to fill an unexpired term expiring June 2007 replacing Sharon McLawhorn, who resigned; to appoint Renee White as Alternate #1 to fill an unexpired term expiring June 2006 replacing Jack Warren, who resigned; to appoint Steve Estes as Alternate #2 to fill an unexpired term expiring June 2006 replacing John Hutchens, who was elevated to a regular member; and to appoint Scott Shook as Alternate #3 for a first-three year term expiring June 2007 replacing Charles Ward, who was elevated to a regular member. Motion carried unanimously.

Community Appearance Commission

Council Member Craft requested that the appointment for the replacement of Vickie Joyner be continued to October 2005.

Historic Preservation Commission

Because Council Member Council was not present, City Manager Bowers stated that this appointment would be continued until October 2005.

Human Relations Council

Motion was made by Council Member At-Large Dunn and seconded by Mayor Pro-Tem Miller to reappoint Mary Bragaw and Reginald Watson for second three-year terms expiring September 2008; to reappoint Walter Sadler for a first three-year term expiring September 2008; to appoint David Goehring for a first three-year term expiring September 2008 replacing Frank Dawkins, who is ineligible for reappointment; and to appoint Nikki Miller for a first three-year term expiring September 2008 replacing Ramona Hart, who is ineligible for reappointment. Motion carried unanimously.

Police Community Relations Committee

Council Member Craft stated that a replacement for Louis Hobbie would be made in October 2005.

Public Transportation and Parking Commission

Council Member At-Large Dunn requested that the appointment for the replacement of Allison Moore be continued to October 2005.

APPROVAL OF CONSENT AGENDA - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Dunn to approve all the items under the consent agenda as listed below. Motion carried unanimously.

- (1) Minutes from the August 8 and August 11, 2005 City Council meetings
- (2) Various tax refunds

<u>Name</u>	<u>Reason</u>	<u>Amount</u>
Angeletha Clemons Mobley	Prorate taxes on vehicle	\$125.05
- (3) Acceptance of 2004-2005 Appointment Reporting Forms
- (4) Ordinance installing stop signs within the subdivisions of Cobblestone, Phase 1; Cobblestone, Phase 2; and Augusta Trails, Section 3 (Ordinance No. 05-94)
- (5) Ordinance establishing a subdivision-wide 25 MPH speed limit in the Ironwood subdivision (Ordinance No. 05-95)
- (6) Resolution accepting dedication of public rights-of-way and easements for Cobblestone, Phase 1; Cobblestone, Phase 2; and Augusta Trails, Section 3 (Resolution No. 05-53)

- (7) Lease agreement for the Roses Parking Lot located at the corner of Evans and Fourth Streets (Contract No. 1442)
- (8) Community Waste Reduction and Recycling Grant agreement with the North Carolina Department of Environment and Natural Resources (Contract No. 1438)
- (9) Award of contract for the purchase of two replacement transit buses

Council Member Little requested that staff look at the speed limits in neighborhoods.

The Director of Public Works, Tom Tysinger, explained the process for changing speed limits.

City Attorney Holec stated that he would look at this and report back to Council.

ORDINANCE REQUESTED BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (AS RECOMMENDED BY THE TASK FORCE ON THE PRESERVATION OF NEIGHBORHOODS AND HOUSING) REZONING PROPERTY LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF SOUTH ELM STREET, THE SOUTHERN RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD, AND THE NORTHERN RIGHT-OF-WAY OF GREENVILLE BOULEVARD, FROM R9 TO R9S - ADOPTED

City Manager Wayne Bowers reported that a one-half page notice of public hearing was published in The Daily Reflector on August 15, 22, 29 and September 5, 2005 setting this time, date and place for a public hearing to consider a request by the Planning and Community Development Department (as recommended by the Task Force on Preservation of Neighborhoods and Housing) to rezone 91± acres (excluding street rights-of-way) located along the eastern right-of-way of South Elm Street, the southern right-of-way of the Norfolk Southern Railroad, and the northern right-of-way of Greenville Boulevard, from R9 to R9S. At its August 16, 2005 City Council meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, stated that this is similar to the Tar River University rezoning area request that was approved by City Council last month. It is part of the Task Force on the Preservation of Neighborhoods and Housing's strategy to identify neighborhoods that are predominantly single family in character but that are zoned in a manner that would allow intrusion of duplex or multi-family uses and rezone such neighborhoods to prohibit further intrusion. Notices were mailed to owners who resided outside of the circulation area of The Daily Reflector and signs were posted at the entrances to the neighborhoods. The Elmhurst-Englewood neighborhood area is approximately 91 acres, excluding street rights-of-way. The area is bounded by the railroad tracks to the north, Greenville Boulevard and Elm Street. The neighborhoods are currently zoned R9, which allows single-family development and duplexes and allows for the conversion of single-family homes to duplexes. The rezoning request is for R9S, which is single-family. Currently, the subject area contains single-family residences, vacant lot and institutional uses. The area contains 260 parcels, and of those, 251 are single-family residences, 6 are vacant and 3 are institutional. There are some lots in this neighborhood that are impacted by the floodplain and floodway. Of the 251 lots, 84 percent (212 homes) are owner-occupied and 16 percent (39 homes) are rental units. There are several vacant lots in the area, however, there are no vested rights for nonconforming uses of the proposed district. Mr. Jimmy Hite received a building permit today for two duplexes in this area. He has a two-year

vested right to secure building permits and begin construction. Those two duplexes, if constructed, would be the only nonconforming units in this neighborhood. If this ordinance is adopted, no additional duplex or multi-family units can be added.

City Attorney Holec stated that with the absence of Council Members Glover and Council, all Council Members present would need to vote in favor of the ordinance for it to be adopted.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Richard Crisp, a member of the Task Force and President of Elmhurst/Englewood Neighborhood Association, spoke in favor of the request. Mr. Crisp asked those in the audience from Elmhurst/Englewood Neighborhood Association that are in favor of the request to stand, and approximately 50 persons stood. Mr. Crisp stated that the neighborhood has stood as a single-family neighborhood for over 50 years. Rezoning the neighborhood to R9S would assure the residents that the characteristics of the neighborhood would remain single family and protected from conversions of existing properties to multi-family dwellings. The membership of the Homeowner's Association was disappointed that a Greenville developer submitted a plan to build duplexes, and it was approved. The neighborhood appealed to the developer for it to remain single-family. There is a desire for the neighborhood to be protected against multi-family dwellings. The neighborhood hopes that Mr. Hite acts as a professional man and considers the wishes of the neighborhood.

Ms. Elizabeth Daniels of Englewood Drive, requested that the Council support the rezoning request. She implored Mr. Hite to reconsider construction of building duplexes on his property.

Mr. Justin Gross, Student Relations Graduate Assistant at ECU, representing Michelle Leiberman and Associate Vice-Chancellor Mary Lou Antieau, spoke in favor of the request. They have had many discussions with the neighborhood and the students and would like to keep good relations. He encouraged the Council to vote in favor of the rezoning request.

Ms. Adelle Grier stated that she has lived in Elmhurst the greatest part of her life. Duplexes will diminish the quality of life for everyone.

Ms. Joan Boudreaux of 1502 SE Greenville Boulevard stated that she has been in Greenville for 50 years and has never had problems negotiating until she dealt with Jimmy Hite. She felt that he planned to construct duplexes on this property on purpose. She hopes he will learn to keep up rental property.

An unidentified speaker from N. Overlook Drive stated that he has lived in many neighborhoods with rental properties. Renters are not vested in the neighborhood like families. He asked the Council to make this neighborhood entirely single-family.

Ms. Georgia (last name unknown) stated that she was attracted to this neighborhood because of the kindness of the people and the family atmosphere. The neighborhood is targeted because of its proximity to the football stadium. Just the atmosphere is as a party neighborhood. She urged Jimmy Hite to not put the duplexes there and urged the Council to preserve and keep the family atmosphere of the neighborhood.

Mr. Jarvis Mills of 1602 N. Overlook Drive stated that he was a member of the Task Force on the Preservation of Neighborhoods and Housing. He thanked the City Council for acting on quite a few of the recommendations of the Task Force. It is great to see things taking place that are improving Greenville. When you are part of a neighborhood, you can't help but want what is best for the neighborhood. It is discouraging to learn that a building permit was issued today for two duplexes when the zoning change is being considered tonight. He asked Mr. Hite if he has the neighborhood's best interest in mind.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance rezoning 91± acres (excluding street rights-of-way) located along the eastern right-of-way of South Elm Street, the southern right-of-way of the Norfolk Southern Railroad, and the northern right-of-way of Greenville Boulevard, from R9 to R9S. Motion carried unanimously. (Ordinance No. 05-96)

ORDINANCE REZONING VANRACK, INC. PROPERTY LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF DICKINSON AVENUE, NORTH OF THE INTERSECTION OF DICKINSON AVENUE AND SPRING FOREST ROAD, AND SOUTH OF THE INTERSECTION OF DICKINSON AVENUE AND ARLINGTON BOULEVARD, FROM RA20 TO OR - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29 and September 5, 2005 setting this time, date and place for a public hearing to consider a request by Vanrack, Inc. to rezone a 0.510± acre tract located along the eastern right-of-way of Dickinson Avenue, 70± feet north of the intersection of Dickinson Avenue and Spring Forest Road, and 1,310± feet south of the intersection of Dickinson Avenue and Arlington Boulevard, from RA20 to OR. At its August 16, 2005 City Council meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Mr. Hamilton delineated the property on a map and stated that this is a request to rezone ½ acre from RA20 to OR. The adjacent property to the east and south is under common ownership with the subject tract. A site plan has been submitted for this property, Cross Creek, for 114 apartments and 195 townhomes but has not yet been approved. The subject property is not impacted by the floodplain. There is a neighborhood commercial focus area located at the intersection of Dickinson Avenue and Spring Forest Road, and Dickinson Avenue is considered a major thoroughfare on the Thoroughfare Plan. The Land Use Plan Map recommends office/institutional/multi-family from the intersection of Dickinson Avenue and Arlington Boulevard to Green Mill Run. Currently, the property is zoned RA20 and most likely the property would be incorporated into the Cross Creek development. Due to the small size of the property it would not significantly affect density.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Mike Baldwin, representing the petitioner, stated that this request meets the criteria list for rezoning petitions. The Planning and Zoning Commission unanimously passed it last month.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance rezoning a 0.510± acre tract located along the eastern right-of-way of Dickinson

Avenue, 70± feet north of the intersection of Dickinson Avenue and Spring Forest Road, and 1,310± feet south of the intersection of Dickinson Avenue and Arlington Boulevard, from RA20 to OR. Motion carried unanimously. (Ordinance No. 05-97)

ORDINANCE REZONING PHILIP E. CARROLL PROPERTY LOCATED BETWEEN THE WESTERN RIGHT-OF-WAY OF NORTH GREENE STREET, THE SOUTHERN RIGHT-OF-WAY OF BELVOIR ROAD, THE EASTERN RIGHT-OF-WAY OF SEABOARD COASTLINE RAILROAD, AND NORTH OF THE INTERSECTION OF NORTH GREENE STREET AND PACTOLUS HIGHWAY, FROM IU TO CG - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29 and September 5, 2005 setting this time, date and place for a public hearing to consider a request by Philip E. Carroll to rezone 1.2158± acres located between the western right-of-way of North Greene Street, the southern right-of-way of Belvoir Road, the eastern right-of-way of the Seaboard Coastline Railroad, and 440± feet north of the intersection of North Greene Street and Pactolus Highway, from IU to CG. At its August 16, 2005 City Council meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Mr. Hamilton delineated the property on a map and stated that this request is to rezone 1.2 acres from Unoffensive Industry to General Commercial. The property is impacted by the 500-year floodplain, however, there are no special elevation requirements. Greene Street and Belvoir Road are considered connector corridors. This rezoning could generate potentially 330 additional trips with 50 trips to the east and west and 115 to the north and south of the subject property. Greene Street and Pactolus Highway are designated as major thoroughfares on the Thoroughfare Plan. The Land Use Plan Map recommends commercial development.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Ken Malpass, representing the petitioner, was present to answer questions. He stated that the request is in conformance with the land use plan.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance rezoning 1.2158± acres located between the western right-of-way of North Greene Street, the southern right-of-way of Belvoir Road, the eastern right-of-way of the Seaboard Coastline Railroad, and 440± feet north of the intersection of North Greene Street and Pactolus Highway, from IU to CG. Motion carried unanimously. (Ordinance No. 05-98)

ORDINANCE ANNEXING BILL CLARK HOMES OF GREENVILLE, LLC PROPERTY (LOCKSLEY WOODS, PHASE 4) LOCATED ON SOUTHEASTERN CORNER OF 14TH STREET AND YORK ROAD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by Bill Clark Homes of Greenville, LLC to annex Locksley Woods, Phase 4, containing

4.7088 acres located on the southeastern corner of 14th Street and York Road. This is a contiguous annexation.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 4. The property is currently vacant and the proposed use is 48 multi-family dwelling units. The current population is 0, and the anticipated population at full development is 112, with 16 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Craft to adopt the ordinance annexing Locksley Woods, Phase 4, containing 4.7088 acres located on the southeastern corner of 14th Street and York Road. Motion carried unanimously. (Ordinance No. 05-99)

ORDINANCE ANNEXING WLH DEVELOPMENT, LLC PROPERTY (IRISH CREEK, SECTION 2, PHASE 1A) LOCATED AT THE TERMINUS OF WEST MEATH DRIVE AND WEST OF TREETOPS SUBDIVISION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by WLH Development, LLC to annex Irish Creek, Section 2, Phase 1A, containing 10.01 acres located at the terminus of West Meath Drive and west of Treetops Subdivision. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 24 single-family residential dwellings. The current population is 0, and the anticipated population at full development is 56, with 9 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Irish Creek, Section 2, Phase 1A, containing 10.01 acres located at the terminus of West Meath Drive and west of Treetops Subdivision. Motion carried unanimously. (Ordinance No. 05-100)

ORDINANCE ANNEXING WILLIAM H. CLARK AND GLORIA E. CLARK PROPERTY (LANGSTON FARMS, PHASE 7, SECTION 1) LOCATED ON THE WESTERN SIDE OF THOMAS LANGSTON ROAD, WEST OF TYLER DRIVE – ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by William H. Clark and Gloria E. Clark to annex Langston Farms, Phase 7, Section 1, containing 19.7098 acres located on the western side of Thomas Langston Road, west of Tyler Drive. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 36 single-family residential dwellings. The current population is 0, and the anticipated population at full development is 84, with 21 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Langston Farms, Phase 7, Section 1, containing 19.7098 acres located on the western side of Thomas Langston Road, west of Tyler Drive. Motion carried unanimously. (Ordinance No. 05-101)

ORDINANCE ANNEXING WILLIAM H. CLARK AND GLORIA E. CLARK PROPERTY (LANGSTON FARMS, PHASE 8) LOCATED AT THE TERMINUS OF HONEYSUCKLE DRIVE - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by William H. Clark and Gloria E. Clark to annex Langston Farms, Phase 8, containing 9.2726 acres located at the terminus of Honeysuckle Drive. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 35 single-family residential dwellings. The current population is 0, and the anticipated population at full development is 82, with 20 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Langston Farms, Phase 8, containing 9.2726 acres located at the terminus of Honeysuckle Drive. Motion carried unanimously. (Ordinance No. 05-102)

ORDINANCE ANNEXING PINWOOD MEMORIAL PARK, INC PROPERTY LOCATED ON THE SOUTHWESTERN CORNER OF NC HIGHWAY 33 AND PORTERTOWN ROAD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by Pinewood Memorial Park, Inc. to annex Pinewood Memorial Park, containing 32 acres located on the southwestern corner of NC Highway 33 and Portertown Road. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 4. The property is currently vacant and the proposed use is a cemetery and sewer dependent 4,000 square feet maintenance facility. The current population is 0, and the anticipated population at full development is 0, with 0 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Craft to adopt the ordinance annexing Pinewood Memorial Park, containing 32 acres located on the southwestern corner of NC Highway 33 and Portertown Road. Motion carried unanimously. (Ordinance No. 05-103)

ORDINANCE ANNEXING PHILIP E. CARROLL PROPERTY (WINSLOW EAST) LOCATED NORTH OF US HIGHWAY 264 AND EAST OF US HIGHWAY 264 BYPASS - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by Philip E. Carroll to annex Winslow East, containing 2.5495 acres located north of US Highway 264 and east of US Highway 264 Bypass. This is a noncontiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 1. The property is currently vacant and the proposed use is a road right-of-way. The current population is 0, and the anticipated population at full development is 0, with 0 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the ordinance annexing Winslow East, containing 2.5495 acres located north of US Highway 264 and east of US Highway 264 Bypass. Motion carried unanimously. (Ordinance No. 05-104)

ORDINANCE ANNEXING CHARLESTON DEVELOPMENT COMPANY, INC PROPERTY (CHARLESTON VILLAGE, SECTIONS 2 AND 3) LOCATED WEST OF THOMAS LANGSTON ROAD AND NORTH OF FOX CHASE SUBDIVISION - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 29, 2005 setting this time, date and place for a public hearing to consider a request by Charleston Development Company, Inc. to annex Charleston Village, Sections 2 and 3, containing 41.081 acres located west of Thomas Langston Road and north of Fox Chase Subdivision. This is a noncontiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 119 single-family residential dwellings. The current population is 0, and the anticipated population at full development is 279, with 71 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Charleston Village, Sections 2 and 3, containing 41.081 acres located west of Thomas Langston Road and north of Fox Chase Subdivision. Motion carried unanimously. (Ordinance No. 05-105)

RESOLUTION APPROVING THE CENTER CITY REVITALIZATION PLAN - ADOPTED

Mr. Carl Rees, Senior Planner, stated that staff is still in the process of obtaining public input on the West Greenville Revitalization Plan, so it is not before the Council for consideration at this time. Approval of the proposed resolution would authorize the Redevelopment Commission to implement the Center City Revitalization Plan on the Council's behalf. The Center City Revitalization Plan calls for implementation activities to be based on the Plan's primary objectives, which are to remove blight from the project area and create economic development opportunities for the center city. In support of these objectives, City of Greenville staff, the Redevelopment Commission and private contractors will carry out a defined set of activities timed to coincide with the City's fiscal year running from July 1, 2005 through June 30, 2006. First year activities include adaptive re-use studies of Center City warehouses, Center City site improvement standards overlay district, municipal services district study, property acquisition and streetscape design manual and improvements. The Redevelopment Commission has worked diligently over the last two years in preparation for the implementation of the program. The Center City Revitalization Plan is a roadmap to follow. The public hearing has been advertised. The Redevelopment Commission needs approval from the City Council prior to implementing the Center City Revitalization Plan.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Ozie Hall, representing the West Greenville Focus Group, stated that there is some language in the Center City Revitalization Plan that ties into the West Greenville Revitalization Plan, and he hoped those items would not be implemented without final discussions occurring regarding

the West Greenville Revitalization Plan. Where the Center City Plan talks about Martin Luther King Jr. Drive and its intersection with Tenth Street and West Greenville, Council needs to be sure that approval of the Center City Plan does not approve some of the things in the West Greenville portion. Much of the development includes East Carolina University, for example, that will take about \$30 million of tax revenue from the City as a result of the development. He questioned whether that had been addressed. There are some economic issues that need to be addressed. The Chairman of the Redevelopment Commission is involved in over \$3 million of property in the downtown area. There is also a real estate person on the Commission. There are a number of people on the Commission who appear to have financial conflicts of interest. Those issues need to be addressed. There are a great deal of people concerned about this.

Upon being asked how many people, Mr. Hall responded that there are hundreds.

Mr. Bob Thompson, a member of the Redevelopment Commission, urged the Council's support of the Center City Revitalization Plan, which sets the stage for a good start. There are a lot of questions to be resolved as they move forward. It will require a great deal of work by the Commission, the Committee, etc.

There being no further comments, the public hearing was closed.

Mayor Pro-Tem Miller stated that the plan would improve the tax base by improving the deteriorated and blighted areas that are not generating much revenue at all; private investment will increase the tax base around it. As far as the Chairman having a \$3 million investment there, that offsets the question about what is being taken off of the tax base. There is advantage to someone who has that kind of tax base being willing to improve the community and use his expertise to better the area. There is nothing in the Center City Revitalization Plan that will impact the West Greenville area. If the status quo is maintained, the area will crumble.

Mayor Parrott stated that it would impact West Greenville by creating jobs throughout the City.

Council Member Craft echoed the comments of Mayor Pro-Tem Miller. Improvements are already being made that will increase the tax base. The desire to improve the properties will move throughout the community.

Mayor Parrott stated the Blount Harvey building was purchased for around \$200,000 and will be valued at approximately \$4 million when rehabilitation is completed. That is the kind of improvements the Council wants to see.

Council Member Dunn stated that it is true that property tax is not received from the University; however, the City receives a lot of money because of the University. It contributed to such things as the Tenth Street Connector, a fire truck, and they have made contributions to updating the Revitalization Plan.

Council Member Little stated that this is a Plan, a starting point. There will be things that come up that Council will have to address; however, it needs to move forward and has to start somewhere.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Miller to adopt the resolution approving the Center City Revitalization Plan. Motion carried unanimously (Resolution No. 05-54; Document No. 05-10)

ORDINANCE REDUCING DURATION FOR ACTION ON BOARDED-UP STRUCTURES FROM ONE YEAR TO SIX MONTHS - ADOPTED

City Attorney Dave Holec stated that the North Carolina General Assembly enacted Session Law 2005-200, which allows the City to require the repair or demolition of a dwelling or abandoned structure which has been vacated or closed pursuant to the enforcement of the City's minimum housing or abandoned structure ordinances after six months rather than the current state law provision of twelve months. This was a legislative initiative of City Council for the 2005 Session of the North Carolina General Assembly. This law provides enabling authority that can be implemented by further action by City Council. Adoption of an ordinance, after a public hearing, will be necessary in order to implement this authority. An owner may vacate and close a structure when it has been determined to be unfit for human habitation or an abandoned structure and the owner is ordered to remedy the violation. Under the current ordinance provisions, additional enforcement cannot be pursued until at least twelve months have passed. This period of time is designed to ensure that the owner has abandoned the intent to repair the structure. A six-month period serves the same purpose as the twelve-month period, while not allowing the boarded-up structure to continue to adversely impact the neighborhood. With the proposed ordinance, after a structure has been boarded up for at least six months and after a public hearing, Council would have the authority to order that the structure be repaired or demolished.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Ms. Mary Lou Kenian asked what the time frame is for beginning renovations after the second hearing.

City Attorney Holec responded to the question by stating that it is 90 days. If renovations have not been done or action taken toward making the improvements within 90 days, the City takes action to demolish the structure and to charge the owner for the demolition. It then becomes a lien on the property.

Upon being told by Ms. Kenian that she was interested in purchasing a boarded up structure in West Greenville, City Attorney Holec suggested that she contact the Neighborhood Services Office to ascertain its status in the enforcement process.

Ms. Kenian was told that if a conscious effort is being made to rehabilitate a structure, staff would work with the owner on the time.

There being no further comments, the public hearing was closed.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the ordinance reducing the period of time, from one year to six months, which a structure must

remain in its boarded-up state prior to City Council having the authority to require its repair or demolition. Motion carried unanimously (Ordinance No. 05-106)

ORDINANCE REVOKING TWO TAXICAB AND ONE LIMOUSINE FRANCHISE - ADOPTED

Assistant City Attorney Bill Little informed the Council that the City has two taxicab franchise holders and one limousine franchise holder that have failed to comply with the inspection and insurance requirements in order to maintain their Certificates of Convenience and Necessity to operate a taxicab or a limousine franchise. On August 23, 2005, a certified letter was sent to each of these franchise holders notifying them of the public hearing that is to be held on September 8, 2005 to revoke these franchises. These franchise holders were no longer in operation or did not comply with the requirements of the ordinance. The public notice was published in The Daily Reflector on August 29, 2005. The franchises recommended to be revoked include:

- Pat West d/b/a Dependable Transport Systems & Services. This franchise was issued in 1997. In 2004, staff sent out a letter and was informed that the business is no longer in operation.
- Calvin Sampson d/b/a Comfort Cab Company. This franchise was issued in May 2004 and later rescinded due to the owner not beginning operation within 6 months in accordance with the City Code. A new franchise was later issued. Since that time, Mr. Sampson has not complied with inspections and has failed to pass both inspections. At the end of December 2004, the initial privilege license expired and was not renewed until June 25, 2005. July 6 was the last inspection, and the vehicle failed. It has not been brought back in for reinspection. With 60 days without a license, one is deemed not in operation and no longer in business. Mr. Sampson has also failed to provide \$100,000 insurance. It is appropriate to rescind this franchise, and if the cab owner wants to apply for a new franchise, he can do so.
- Frank Peterson d/b/a Eagle Transport. This is no longer a limousine franchise; it is a contract transport service. The City does not regulate those.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Calvin Sampson stated that he started his business in May 2004, and this is his first business. He has made mistakes and learned from them. He wants to keep his business.

Upon being asked if he has an insurance certificate to show he has coverage, Mr. Sampson responded that it is in a folder in Corporal Haddock's office. He further stated that one of the reasons he failed the inspection is because his sign is 10 inches instead of 18, and that can be easily fixed. He is having a problem with taxicab inspections.

Assistant City Attorney Little stated that Mr. Sampson has not provided a certificate of insurance with the minimum amounts. The certificate on file is for \$30,000. As far as the vehicle inspection on July 1, it failed because of the air conditioning and top light. Also, the parking assembly was broken. Mr. Sampson failed to produce the vehicle for inspection on July 6 as the

City requested. On July 12, it failed inspection because of broken lamplights. When inspected on July 21, there was no top light and the rear shocks were worn. On July 26, the shocks were fixed; however, the right front tire was out. For the last inspections Corporal Haddock was out and others within the Department did the inspection. The problem is more than a ten-inch light.

Mr. Sampson stated that he is not abandoning his franchise. He sees the potential and is trying to build an image for the taxicabs.

Upon being asked the process Mr. Sampson would have to go through to continue the business if the ordinance is adopted, Assistant City Attorney Little stated that he would have to reapply and go through the initial process again. He would have to show proof of insurance, etc. Corporal Haddock has worked with him trying to get him in compliance.

Ms. Mary Lou Kenian suggested that Mr. Sampson receive help from the Small Business Administration.

There being no further comments, the public hearing was closed.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Dunn to adopt the ordinance authorizing the revocation of the franchises of two taxicab (Pat West d/b/a Dependable Transport Systems & Services and Calvin Sampson d/b/a Comfort Cab) and one limousine franchise (Frank Peterson d/b/a Eagle Transport). Motion carried unanimously. (Ordinance No. 05-107)

PUBLIC COMMENT PERIOD

Mayor Parrott read the City Council policy on public comments.

City Clerk Wanda Elks announced that two individuals have signed up to address the Council during the public comment period—Nancy Colville and Glenn Bowen.

Nancy Colville: “Good evening Mayor, City Council Members. My name is Nancy Colville and I am here tonight as a private citizen, not in my capacity of Greenville Housing Authority Board Member. The reason I came forward is because I have some concerns about the role of the City in relocation of the Hurricane Katrina victims, and there has been a lot of rumors, and there has been a lot of talk and like everybody else we have all sympathized, and there are things that we wish that we could do, and there are some things that we can do. I am concerned that we are not working together as we should. The Pitt County Emergency Management Agency is the agency in charge of dealing with this type of situation and then we go to the North Carolina Emergency Management Service and through FEMA, but somehow we also have requests from HUD and what they both want is for us to provide some type of dwellings for some of the victims. I would like for the City and the County to get together and determine just how many people can Greenville absorb. How many people we can bring here without affecting the people that are already here. We are not Charlotte, and we are not Houston, and we are not Greensboro, so we need to keep that in mind. Our tax base is below average for the State. Our job situation right now is not good. It is going to get better, but it is not good now. So, when we bring these people here we need to remember that after their \$2,000, or their vouchers or whatever stop, then

they are here because we cannot force them to leave, and then they become, a lot of them are on welfare and they are going to tax our welfare system, our law enforcement, our schools...I want you all to keep this in mind when you move forward. I know that the Conference of Mayors requested that the local Property Managers Association register their apartment complexes with them at the National Register, and that causes me some concern because if we do this, and we have done this already, and I don't know how many property owners have decided to register at the National Register, then how many people are going to come here and our apartment complexes are going to go down in quality, when these people run out of money. What is going to happen? Are we going to have to evict them? Are they going to trash the apartments? I think all of these things need to be taken into consideration and I would like for the City to go through the County Emergency Management anytime that they are going to do something like this. So those are my concerns, they are the concerns of a lot of people, not just mine, and I would appreciate it if we could hear from you at a later date. What are your plans and what are your thoughts? If you are really going to help any, are you going to get involved, or what are the City's plans for this?"

Glenn Bowen: "Mr. Mayor, City Council Members, Attorney and Clerk, my name is Glen Bowen and I am a local merchant. I am here tonight on behalf of six local merchants, who all six of us buy privilege licenses to do business in the City of Greenville. We also pay ad valorem taxes to the City of Greenville and the County. We also collect sales tax for the City, the County and the State. We feel that allowing our competition to come in forty and fifty at the time at the Convention Center to sell their wares is a slap in the face for the local businesses. I would ask the City Council to at least put the same restrictions on the people coming in and doing business at the Convention Center that you have on the merchants in Greenville, here in the City. Anything that you can do to make the playing field more level, I would appreciate it."

PRESENTATION BY GREENVILLE UTILITIES COMMISSION

Mr. Ron Elks, General Manager of Greenville Utilities Commission, informed the Council of the activities it has been involved in this past year. He informed the Council that in the past five years, there has been a 13 percent increase in electric customers, 12 percent increase in water customers, 16 percent increase in natural gas customers, and 24 percent increase in sewer customers, for a total of 128,000 connections to the system. Greenville Utilities is celebrating its 100th birthday, and this has been a century to celebrate. To celebrate, the Utilities has distributed a timeline insert and centennial booklet, had an open house for the administrative building, had a 100-year logo added to a water tank, and done a time capsule and historical exhibits. Strategic planning efforts have included a balanced scorecard. Based on the results of the scorecard, a work plan has been developed along with a set of initiatives to guide the Utilities over the next several years. Staff moved into the new building earlier this year. Through the Neighbor-to-Neighbor Program, \$78,000 has been donated by customers and the Utilities and funneled through the Department of Social Services to assist needy people with paying their utility bills. One hundred fans were distributed to the elderly in June through the Department of Social Services and the Pitt County Council on Aging. Another free program offered is the E-300 Program, which assists people with making their homes more energy efficient, thereby reducing the utility bills. Staff participated in the Caring is Sharing Food Drive this past year. During the past year, Greenville Utilities conducted a customer survey. The Utilities also has an Advantage Bill Program that offers options for customers on paying their gas bills. Customers

are also offered electronic bill payment options on the website now. More than 1000 students toured the water and wastewater treatment plants this year. The staff also recently did a hurricane simulation as a part of storm preparedness.

RESOLUTIONS ABANDONING UTILITY EASEMENTS FOR GREENVILLE UTILITIES COMMISSION'S ALLEN ROAD WATER MAIN PROJECT AND AUTHORIZING EXECUTION OF DEEDS OF RELEASE – ADOPTED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the resolutions and authorize the execution of deeds of release for 18 utility easements for the following property owners: Shelby W. Umphlett; Surgicenter Services of Pitt, Inc.; University Medical Park Inc; William C. Jenkins, Jr. and Judith W. Jenkins; William C. Jenkins and Judith W. Jenkins; Leisure Living Company; Wells Chapel of God in Christ; CDCD Partnerhip; STP Properties; Mrs. Thomas Allen; Lila Bullock; E. Landon Spain and Theresa M. Basdon; Lee Harrell Bradley, Richard H. Bradley, Norma S. Harrell, and Thomas J. Andrews; Leon R. Hardee and Linda I. Hardee; Dorothy T. Stewart, Joseph G. Tyson, and Edna W. Tyson; Elvy F. Forrest and Bettie T. Forrest; Charlotte G. Crawford; and Bettie T. Forrest, Elvy K. Forrest, and Joy T. Clark. Motion carried unanimously. (Resolution Nos. 05-55 through 05-72)

ACQUISITION OF REAL PROPERTY FOR GREENVILLE UTILITIES COMMISSION'S NATURAL GAS GATE STATION #4 ON EAST TENTH STREET – APPROVED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to approve the acquisition of real property, subject to a satisfactory home and site inspection, to construct a natural gas gate station on East Tenth Street. Motion carried unanimously.

AMENDMENT TO NOISE CONTROL ORDINANCE – ADOPTED

Assistant City Attorney Bill Little stated that the Task Force on the Preservation of Neighborhoods and Housing recommended that the City ordinances related to noise be revised. The Task Force's recommended Neighborhood Strategy Number Five is to "revise City ordinances related to noise to apply to all manner and type of disruptive noise, including non-amplified human voices, and to allow for "on-the-spot" ticketing." This recommendation was included in the recommendations of the Task Force that were submitted to and accepted by City Council in December 2004. In response to this recommendation, a review of the City's Noise Control Ordinance and ordinances from other cities was conducted, and appropriate amendments were developed. Assistant City Attorney Bill Little prepared the amendments with input from the City Manager's Office and the Police Department. Mr. Little reviewed the proposed highlights to the amended Noise Control Ordinance:

- Continues to provide a decibel level benchmark for the maximum permitted sound level by use category
- Expands prohibited noise to include other noise disturbances other than amplified sound
- Continues with exceptions to the limitations on noise for activities which arise from time to time but should, through the application of common sense, not be subject to the prohibitions contained in the noise ordinance

- Continues to allow receipt of a permit to exceed sound levels by an application process involving notification to adjoining property owners and provides for the imposition of restrictions such as time limits and the hiring of off-duty police officers as a condition to the issuance of the permit to exceed sound levels. Establishes an obligation for the applicant to be responsible for any additional costs incurred by the City for trash and police or other services
- Continues with the provisions of making property owners responsible for a noise-related nuisance for rental property that has received at least three citations for a noise ordinance violation. Notice of the previous violations is to be provided to the property owner and the commencement of eviction proceedings is a defense for the property owner.
- Penalties for violation increased from \$50 per violation to \$100 per violation with escalating penalties for additional violations within a 30-day period.

Council Member Little expressed concern about the subjectivity of nuisance noise of non-amplified sound.

Assistant City Attorney Little stated that typically a warning will be issued for the first offense.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance amending the Noise Control Ordinance consistent with the recommendation of the Task Force on Preservation of Neighborhoods and Housing. Motion carried unanimously (Ordinance No. 05-108)

“DRAFT” GREENVILLE URBAN AREA METROPOLITAN PLANNING ORGANIZATION
2005-2006 TRANSPORTATION IMPROVEMENT PRIORITIES - APPROVED

Mr. Ron Svejksky, MPO Coordinator, stated that the Greenville Urban Area Metropolitan Planning Organization recently completed its Transportation Improvement Priorities public involvement process. This gives citizens an opportunity to express their views on which areas of the transportation system need improvements. The public involvement process is the first step in developing the State Transportation Improvement Program and the Greenville Urban Area Metropolitan Transportation Improvement Program. Following the public involvement process, the Lead Planning Agency (Public Works) developed a draft list of Transportation Improvement Priorities, which was later considered by the MPO’s Technical Coordinating Committee. The draft Greenville Urban Area MPO 2005-2006 Transportation Improvement Priorities, as recommended by the TCC, are being presented to the governing boards of each local MPO member. The Transportation Advisory Committee will formally consider the priority list and any comments by members of the governing boards during their September meeting. The transportation priorities as adopted by the TAC must be submitted to the North Carolina Department of Transportation by October 3, 2005. The 2005-2006 Transportation Improvement Priorities include the following. Items noted with an “*” are unmet needs where funding has not been programmed in the Transportation Improvement Program

“COPY”

HIGHWAY IMPROVEMENTS

1. *SOUTHWEST BYPASS* - Construct a four-lane, median divided, limited access facility on new location from US-264 west of Greenville to NC-11 near Ayden with a bypass of Winterville (7.8 miles) (ID No. R-2250).
2. *FIRE TOWER ROAD PHASE I (SR-1708)* - Widen existing three-lane roadway to a multi-lane urban section facility with sidewalk, bicycle, and landscaping improvements from Corey Road (SR-1709) to Memorial Drive (NC-11/903) (2.5 miles) (ID No. U-3613).
3. *TENTH STREET CONNECTOR* - Improve existing multi-lane, curb and gutter facility with sidewalk, bicycle, and landscaping improvements on Farmville Boulevard from Memorial Drive (NC-11/43/903) to Fourteenth Street; and new location multi-lane urban section facility from Fourteenth Street to Dickinson Avenue (SR-1598) at Tenth Street (SR-1598) with a grade separation at CSX Railroad (0.9 miles) (ID No. U-3315).
4. *EVANS STREET AND OLD TAR ROAD (SR-1700)* - Widen existing two/three-lane roadway to multi-lane urban section facility with sidewalk, bicycle, and landscaping improvements from Greenville Boulevard (US-264A) to Worthington Road/Cooper Street (SR-1711) (3.8 miles) (ID No. U-2817; programmed for planning and environmental studies only for the entire section).
- 5.* *GREENVILLE BOULEVARD (US 264A/NC-43)* – Widen to six travel lanes and improve intersections from Memorial Drive (NC-11/903) to Charles Blvd. (2.3 miles).
- 6.* *FIRE TOWER ROAD PHASE II (SR-1708)* - Construct a multi-lane urban section facility on new location with sidewalk, bicycle, and landscaping improvements from Memorial Drive (NC-11/903) to Forlines Road (1.6 miles) (ID No. U-3613).
- 7.* *MAIN STREET (SR-1133)* - Reconstruct existing curb and gutter portion with sidewalk, landscaping, and bicycle improvements from NC-11 to the end of curb and gutter; widen existing two-lane roadway to a multi-lane urban section facility with sidewalk, landscaping, and bicycle improvements from the end of existing curb and gutter to the end of the existing pavement east of Old Tar Road (SR-1700).
- 8.* *NORTHEAST BYPASS INCLUDING THE US-264/NC-33 EAST CONNECTOR* - Construct a four-lane, median divided, limited access facility on new location from US-264 Northwest Bypass to NC-33 East with a new bridge over the Tar River east of Greenville (9.2 miles) (ID No. U-3430).
- 9.* *FROG LEVEL ROAD (SR-1127)* – Widen to meet tolerable lane width requirements and to serve as a connector between US 13/US 264A and NC-903.
10. *NC-33 WEST* - Widen roadway to a multi-lane rural section facility from US-264 in Greenville to US-64 southeast of Tarboro (17.9 miles) (ID No. R-3407).

- 11.* *FIRE TOWER ROAD PHASE III, EAST FIRE TOWER ROAD (SR-1725) FROM CHARLES BOULEVARD (NC-43) TO FOURTEENTH STREET EXTENSION (SR- 1704)* - Widen existing two-lane roadway to a multi-lane urban section facility from Charles Boulevard (NC-43) to Fourteenth Street Extension (SR-1704) (0.6 miles).
- 12.* *FOURTEENTH STREET (SR-1704)* - Widen existing two-lane roadway to a multi-lane urban section facility with intersection improvements from York Road to East Fire Tower Road (SR-1725) (0.9 miles).
- 13.* *FIRE TOWER ROAD PHASE IV, EAST FIRE TOWER ROAD (SR-1725) FROM FOURTEENTH STREET EXTENSION (SR- 1704) TO PORTERTOWN ROAD (SR 1726) AND PORTERTOWN ROAD* - Widen existing two-lane roadways to multi-lane urban section facilities on East Fire Tower Road from Fourteenth Street Extension (SR-1704) to Portertown Road (SR-1726) (.75 miles), and Portertown Road from East Fire Tower Road (SR-1725) to just east of the railroad tracks (1.2 miles). Includes intersection improvements at East Fire Tower Road and Portertown Road to change the primary movement to East Fire Tower Road and the northern leg of Portertown Road.
- 13.* *CHARLES BOULEVARD (NC-43 South)* – Widen existing two-lane and three-lane roadway to a multi-lane urban section facility including sidewalk, landscaping, and bicycle improvements from Bell’s Fork to Worthington Road (SR-1711) (3.0 miles).
- 14.* *ALLEN ROAD (SR-1203)* - Widen existing two and three lane roadway to multi-lane urban section facility with sidewalk, bicycle, and landscaping improvements from Stantonsburg Road (SR-1200) to US-13/264A (2.3 miles).
15. *NC-43 NORTH* - Widen to meet tolerable lane width requirements, including improving intersections from B’s BBQ Road to Edgecombe County Line (ID No. R-4749).
- 15.* *FROG LEVEL ROAD (SR-1127)* – Widen to meet tolerable lane width requirements and to serve as a connector between US 13/US 264A and NC-903.
- 16.* *IVY ROAD (SR-2241), TUCKER ROAD (SR-1759), AND AYDEN GOLF CLUB ROAD (SR-1723)* - Widen to meet tolerable lane width requirements, including straightening and realigning intersections, to serve as a connector between NC-102, NC-43 South, and NC-33 East.
17. *NEW COLLEGE HILL DRIVE* - Construct a multi-lane urban section facility on new location from Fourteenth Street to College Hill Drive (0.3 miles) with link to Green Mill Run Greenway/Bicycle Path (ID No. U-3316).

LOCAL PROJECTS

1. *THOMAS LANGSTON ROAD EXTENSION* – Construct on new location a multi-lane urban section facility including sidewalk, landscaping, and bicycle improvements from Memorial Drive (NC-11/903) at Thomas Langston Road (SR-1134) to Evans Street Extension (SR-1700)(1.14 miles).

2. *BROWNLEA DRIVE EXTENSION PHASE II* – Construct primarily on new location a multi-lane urban section facility with sidewalk from Tenth Street to Fourteenth Street (0.8 miles).
3. *BROWNLEA DRIVE EXTENSION PHASE III* – Construct primarily on new location a multi-lane urban section facility with sidewalk from Sixth Street to Tenth Street (0.2 miles).
4. *MAIN STREET EXTENSION* - Construct new multi-lane urban section facility with sidewalk, landscaping, and bicycle improvements from end of roadway to Worthington Road (SR-1711).

BRIDGE REPLACEMENT IMPROVEMENTS

1. *NC-102 BRIDGE NO. 53* - Replacement of an existing bridge over Swift Creek east of Ayden (ID No. B-4231).
2. *MEMORIAL DRIVE (US 13/NC-11/903) OVER TAR RIVER BRIDGE NO. 38* - Replacement of existing bridges over the Tar River and overflow (ID No. B-4786).
3. *MT. PLEASANT CHURCH ROAD (SR-1418) BRIDGE 171* - Replacement of an existing bridge over Johnson's Mill Run (ID No. B-4788).
4. *STANTONSBURG ROAD (SR-1200) BRIDGE NO. 65* - Replacement of an existing bridge over Pinelog Branch (ID No. B-4233).
5. *JACK JONES ROAD (SR-1715) BRIDGE NO. 29* - Replacement of an existing bridge over Fork Swamp (ID No. B-4603).
6. *OLD RIVER ROAD (SR-1401) BRIDGE NO. 95* – Replacement of an existing bridge over Johnson's Mill Run (ID No. B-4787).
7. *AYDEN GOLF CLUB ROAD (SR-1723) BRIDGE NO. 25* - Replacement of an existing bridge over east branch of Swift Creek east of Ayden (ID No. B-4237).
8. *WEYERHAEUSER ROAD (SR-1900) BRIDGE NO. 154* - Replacement of an existing bridge over branch of Swift Creek (ID No. B-4791).
9. *PORTERTOWN ROAD (SR-1726) BRIDGE NO. 219* – Replacement of an existing bridge over Hardee Creek, .2 miles east of King George Road (ID No. B-4238).
10. *WORTHINGTON ROAD (SR-1711) BRIDGE NO. 28* – Replacement of an existing bridge over Fork Swamp (ID No. B-4602).
11. *FISHPOND ROAD (SR-1214) BRIDGE NO. 64* - Replacement of an existing bridge over Pinelog Creek with culvert (ID No. B-4601).

RAILROAD CROSSING IMPROVEMENTS - In full support of railroad crossing improvements listed in the State TIP.

HIGHWAY SPOT SAFETY IMPROVEMENTS

1. *GREENVILLE BOULEVARD (US 264A)/EAST TENTH STREET (NC-33) INTERSECTION* - Improve safety and capacity at this intersection.
2. *VERNON WHITE ROAD (SR-1130)/OLD TAR ROAD (SR-1700) INTERSECTION* - Improve safety and capacity at this intersection north of Winterville.
- 3.* *NC-11/DAVENPORT FARM ROAD (SR-1128) INTERSECTION* - Improve safety and capacity at this intersection in Winterville.
- 4.* *NC-11/THOMAS LANGSTON ROAD (SR-1134) INTERSECTION* - Improve safety and capacity at this intersection in Greenville.
- 5.* *FIRE TOWER ROAD (SR-1708)/ARLINGTON BLVD AND COUNTY HOME ROAD (SR-1725) INTERSECTION* - Improve safety and capacity at this intersection in Greenville.
- 6.* *OLD TAR ROAD/MAIN STREET INTERSECTION*- Improve safety and capacity at this intersection; design and construct in anticipation of and accommodation of future widening on Old Tar Road (SR-1700) and Main Street (SR-1133) in Winterville.
- 7.* *COUNTY HOME ROAD (SR-1725) SAFETY IMPROVEMENTS* – Improve safety on County Home Road from Bells Chapel Road to Wintergreen Intermediate School, including adding a continuous turn lane.
- 8.* *D.H. CONLEY HIGH SCHOOL SAFETY IMPROVEMENTS* – Improve safety on Worthington Road (SR-1711) in front of D. H. Conley High School.
- 9.* *SOUTH CENTRAL HIGH SCHOOL AND CREEKSIDE ELEMENTARY SCHOOL SAFETY IMPROVEMENTS* – Improve safety on Forlines Road (SR-1126) in the vicinity of these schools.
- 10.* *NC-11 SOUTH/ELLIOT DIXON ROAD (SR-1154) Intersection* - Improve safety and capacity at this intersection south of Ayden.

BICYCLE/ENHANCEMENT PROJECTS

1. *SOUTH TAR RIVER GREENWAY* – Construct new bicycle path along south side of Tar River from Greenville Bridge over Town Creek to Green Mill Run Greenway (3.0 miles). (ID No. E-4702).
- 2.* *BIKEWAY SYSTEM IMPROVEMENTS* – Signs, pavement markings, maps, and brochures to develop the short-term “Bikeway 2000” system.

- 3.* *GREEN MILL RUN GREENWAY PHASE II COMPLETION* - Construct new bicycle path from Charles Boulevard to Hooker Road (1.0 miles).
- 4.* *PARKERS CREEK GREENWAY/BICYCLE PATH* - Construct new bicycle path along Parkers Creek from SR-1579 (Staton Road) to River Park North (3.4 miles).

PUBLIC TRANSPORTATION

- 1.* *INTERMODAL TRANSPORTATION CENTER* – Design and construct a multimodal transfer center for intercity buses, GREAT, ECU Student Transit, PATS, taxis, and possibly passenger rail (ID No. TD-4716).
- 2.* *PASSENGER RAIL SYSTEM (RALEIGH TO GREENVILLE)* – Feasibility/planning study for passenger rail service from Raleigh to Greenville, as described in NCDOT's 2001 North Carolina Rail Plan.
3. *OPERATING, PLANNING AND CAPITAL ASSISTANCE* - For Transit operations from 07-01-05 through 06-30-13.
- 4.* *TRANSIT CAPITAL ITEMS* – Projects listed in 2006-2012 MTIP.

“COPY”

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to approve the draft Greenville Urban Area MPO 2005-2006 Transportation Improvement Priorities. Motion carried unanimously.

RESOLUTION RECOMMENDING SUBMITTAL OF NOMINATION OF SKINNERVILLE-GREENVILLE HEIGHTS HISTORIC DISTRICT FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES – ADOPTED

Ms. Chantae Gooby, Planner, stated that in 2004, the City received grant funding through the National Park Service's Historic Preservation Fund for an architectural survey and National Register Nomination of the Skinnerville-Greenville Heights area. The potential district bound by Martin Luther King, Jr. Drive, Tyson Street, the Tar River and Pitt Street, encompasses approximately 95 acres with 282 contributing buildings/sites and 55 non-contributing buildings. National Register designation qualifies properties within this district for significant state and federal rehabilitation tax credits for qualified rehabilitation work.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the resolution recommending the submittal of the nomination of the Skinnerville-Greenville Heights Historic District for listing in the National Register of Historic Places and to authorize the Mayor to execute the comment paragraph relating to said nomination for and on behalf of the City of Greenville. Motion carried unanimously. (Resolution No. 05-73)

ORDINANCE AND RESOLUTIONS TO IMPLEMENT RECENT STATUTORY CHANGES
RELATED TO PURCHASE OR SALE OF PROPERTY – ADOPTED

Ms. Angelene Brinkley, Purchasing Manager, stated that during the 2005 Session of the North Carolina General Assembly, legislation was enacted relating to the purchasing function of the City and to the sale of surplus property by the City. Action by City Council is necessary to implement the legislation. G.S. 160A-266 was amended to increase the amount of the value of surplus property that can be sold by staff, under a general delegation from City Council, from \$5,000 to \$30,000 for an item or group of items. Section 3-1-6(a) of the City Code authorizes the Purchasing Manager to declare as surplus personal property, to set its fair market, to sell or exchange it for a comparable item, and to convey title to the property having a value of less than \$5,000. It is proposed to amend this to property having a value of less than \$30,000, as allowed by the amendment to G.S. 160A-266. Adoption of an ordinance is necessary to accomplish this. Also, G.S. 143-131 was amended to increase the permissible informal bid threshold amount from \$5,000 to \$30,000. For purchases less than the informal bid amount, it is not required that informal bids be sought; the item may simply be purchased. It is proposed that the City not use the full newly established statutory authority, and instead, establish the threshold amount for informal bids as \$10,000 (rather than \$30,000). This amendment to G.S. 143-131 also provided an opportunity to review the dollar threshold on purchases that may be made by the Purchasing Manager and the City Manager pursuant to a delegation of authority by City Council. Under existing State law, Council may delegate authority for approval of contracts for construction or repair up to \$300,000 and for purchases of apparatus, materials and supplies without any dollar limitation. It is proposed that the threshold for the purchase of apparatus, materials and supplies by the Purchasing Manager and City Manager be increased from \$250,000 to \$300,000 and that the threshold for approval of contracts for construction, repair, or other services by the Purchasing Manager and City manager be increased from \$100,000 to \$300,000. Along with these changes, it is proposed that the threshold amount for contracts awarded by the City Manager or Purchasing Manager, which are required to be reported to Council in a monthly report, be raised to \$50,000 (from \$10,000 for contracts for construction and repair and other services). Adoption of a resolution is necessary to implement this. G.S. 143-129 and 160A-266 have been amended to allow electronic advertising of bid requests and sale opportunities. The legislation allows publication of notice by solely electronic means if approved by the governing board. It is proposed to allow this for the purchase of apparatus, supplies, materials, or equipment (notice via the City's website) and for contracts for sale of personal or real property (notice via City's website and through notice provided by any third party assisting the City in these sales). Adoption of a resolution is necessary to implement this. It is anticipated that these changes will result in the City receiving more revenue from the sale of surplus property and to continue to secure the best available price when items are purchased.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the ordinance amending Section 3-1-6 of the Greenville City Code by providing for the sale of property valued under \$30,000 by the City of Greenville. Motion carried unanimously (Ordinance No. 05-109)

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the resolution delegating authority to the City Manager and the Purchasing Manager of certain

purchasing decisions relating to apparatus, supplies, materials or equipment. Motion carried unanimously (Resolution No. 05-74)

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Craft to adopt the resolution authorizing notice to be published solely by electronic means when purchasing or selling property. Motion carried unanimously (Ordinance No. 05-75)

RESOLUTION DECLARING CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND AUTHORIZING DISPOSITION BY PUBLIC AUCTION – ADOPTED

Ms. Angelene Brinkley, Purchasing Manager, stated that the proposed date of the surplus auction is October 8, 2005 at 10:00 a.m. at Public Works.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Miller to adopt the resolution authorizing the sale of certain City vehicles and equipment at public auction per N.C. G.S. 160A-270. Motion carried unanimously (Resolution No. 05-76)

AGREEMENT WITH GOVDEALS TO PROVIDE ON-LINE AUCTION SERVICES FOR THE CITY OF GREENVILLE – APPROVED

Ms. Brinkley informed the Council that GovDeals is like an e-bay for local governments. Benefits of using this program are that it produces higher prices, reduces warehouse space, eliminates unfavorable weather conditions, offers continuous revenue stream, avoids “absolute” auction low prices, offers more efficient and timely disposal of surplus items, is cost effective, and has positive references.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Dunn to approve the agreement with GovDeals and to authorize the City Manager to sign the contract on behalf of the City of Greenville. Motion carried unanimously (Contract No. 1439)

RESOLUTION AND CONTRACT AWARD FOR THE 2005 SIDEWALK CONSTRUCTION PROJECT – ADOPTED/APPROVED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the resolution requesting a Concurrence in Award from NCDOT for the portion of the project that will be funded by the Enhancement Grant. Motion carried unanimously (Resolution No. 05-77)

Motion was made by Council Member Craft and seconded by Council Member Dunn to award a construction contract for the 2005 Sidewalk construction Project to Carolina Earth Movers, Inc. in the amount of \$474,918.30. Motion carried unanimously. (Resolution No. 05-77; Contract No. 1440)

RESOLUTION AUTHORIZING AN APPLICATION CONTRACT ENTITLED REDUCE AGGRESSIVE, INTIMIDATING & IMPAIRED DRIVING WHICH RELATES TO THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM - ADOPTED

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the resolution authorizing an application contract entitled reduce aggressive, intimidating & impaired driving which relates to the North Carolina Governor's Highway Safety Program and accepting the grant award of \$177,514. Motion carried unanimously. (Resolution No. 05-78)

GRANT AWARD FROM GOVERNOR'S HIGHWAY SAFETY PROGRAM FOR FUNDING SUPPORT OF REGIONAL LAW ENFORCEMENT LIAISON POSITION – APPROVED

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to accept the grant award of \$25,000. Motion carried unanimously. (Resolution No. 05-79)

BUDGET ORDINANCE AMENDMENT #2 TO FY 2005-2006 CITY OF GREENVILLE BUDGET – ADOPTED

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the resolution approving the 2005-2006 Budget Ordinance amendment. Motion carried unanimously (Ordinance No. 05-110)

CONTRACT WITH JIMMY GRIMSLEY TO SERVE AS DIRECTOR OF NORTH CAROLINA HIGH SCHOOL ATHLETIC ASSOCIATION TOURNAMENTS IN GREENVILLE – APPROVED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Dunn to approve the contract with Jimmy Grimsley to serve as the director of the North Carolina High School Athletic Association (NCHSAA) Basketball and Baseball Tournaments in Greenville. Motion carried unanimously. (Contract No. 1441)

REPORT ON BIDS AWARDED

City Manager Wayne Bowers referred the Council to bids that had been awarded as follows:

<u>Date</u>	<u>Item Description</u>	<u>Awarded To</u>	<u>Amount</u>
07/25/2005	Network Infrastructure	Ronco Communications	\$49,084.68
8/17/2005	Asphalt Paving for the Town Common 2005-2006	Moses Asphalt	\$84,000.00

COMMENTS FROM MAYOR AND CITY COUNCIL

Mayor Pro-Tem Miller reported on the following:

- Council Member Council's brother-in-law recently passed away and was buried yesterday.
- Council Member Glover is still out because of her surgery.

- He wished Marie Cox a happy 95th birthday.
- He thanked the City for providing the Pepsi warehouse for the Salvation Army to store goods for the Hurricane Katrina victims. Several people have gone to the Gulf Coast to help. He asked that citizens lend a helping hand to the hurricane victims.

Council Member Little stated that he would like a report on the Problem Solving Team and the procedures that would be taken if a natural disaster happened in Greenville similar to Hurricane Katrina in New Orleans.

Council Member Craft wished Marie Cox a happy birthday.

CITY MANAGER'S REPORT

Upon being told that there was no business that needed to be addressed at the September 19, 2005 City Council meeting, motion was made by Council Member Little and seconded by Council Member Dunn to cancel that meeting. Motion carried unanimously.

City Manager Bowers reminded the Council of the joint meeting with Greenville Utilities Commission on September 20 at 6:00 p.m. in the Greenville Utilities Board Room.

City Manager Bowers reminded the Council of the joint meeting with the County Commissioners on October 3 at 5:30 p.m. at Sheppard Memorial Library. The items on the agenda include Library Funding, Update on City EMS and EMS Funding, Update on Sales Tax Initiative, Coordination of Transit Systems, and Federal Lobbyist. He asked the Council Members to let him know if there are other items that need to be addressed.

Mayor Pro-Tem Miller suggested having dialogue with the County and input on opportunities for group benefits for the County, School Board, etc.

City Manager Bowers stated that City staff has been having daily briefings with Pitt County Emergency Management to coordinate any efforts to be offered to City government since Hurricane Katrina hit the Gulf Coast. Primary efforts to relocate the evacuees will continue to be through Charlotte, Raleigh and Greensboro. Two firefighters have been sent to the Gulf Coast, who called for 1,000 two-person teams. The Greenville firefighters are in Tulsa providing assistance to persons who have been evacuated. A request has been received from New Orleans to provide Greenville management staff to assist in their efforts, and a request has been sent out for volunteers. Today was considered the last regular briefing. Three centers seem to be able to handle the groups coming into the State. The County will continue to coordinate this. Most of the victims that have relocated to this area have done so because they have friends or family in this area. Since Hurricane Ophelia is in the Atlantic and may be a threat to the east, it was concluded today that there may be a need to begin the daily briefings again. They are continuing to monitor Ophelia and will get back for further preparations later this weekend.

CLOSED SESSION

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to go into closed session to prevent the disclosure of information that is privileged or confidential pursuant

to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law and to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Motion carried unanimously.

RETURN TO OPEN SESSION

Motion was made by Council Member Craft and seconded by Council Member Dunn to return to open session. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Little to adjourn the meeting at 10:30 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks
City Clerk